

# Exhibit F

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FG SRC LLC,

Plaintiff,

v.

XILINX, INC.,

Defendant.

C.A. No. 20-cv-601-WCB

**JURY TRIAL DEMANDED**

**DECLARATION OF WARREN MABEY IN SUPPORT OF XILINX, INC.'S MOTION  
FOR PROTECTIVE ORDER**

I, Warren K. Mabey, Jr., under penalty of perjury, declare as follows:

1. I am an attorney with the law firm of Fish & Richardson P.C., counsel for Xilinx, Inc. ("Xilinx") in this action. I make this declaration in support of Xilinx's Motion for Protective Order. Unless otherwise stated, the matters contained in this declaration are of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters set forth herein.

2. On March 23, 2022, Xilinx requested a meet and confer with counsel for FG SRC to discuss the number of third-party subpoenas issued by FG SRC. Counsel for FG SRC did not offer dates of availability until the following day, March 24<sup>th</sup>, and indicated that he would not be available until Wednesday, March 30 due to a trial schedule.

3. On March 24, 2022, Xilinx offered to wait until March 30<sup>th</sup> to meet and confer if FG SRC would agree to refrain from serving additional subpoenas until the 30<sup>th</sup>. In the alternative, Xilinx proposed to meet and confer on the weekend, March 26-27, 2022.

4. FG SRC served additional subpoenas that same day, March 24<sup>th</sup>. Additionally, FG SRC ignored Xilinx's request for a weekend meet and confer. Instead, FG SRC proposed a new meet and confer date of Tuesday, March 29, or six days after Xilinx's original request date of March 23<sup>rd</sup>. Xilinx responded by demanding a meet and confer over the weekend of the 26-27<sup>th</sup>.

5. On March 27, 2022, I participated in a meet and confer between FG SRC and Xilinx regarding FG SRC's third-party subpoenas. At that conference, Xilinx relayed that FG SRC's subpoenas were harassing, baseless, and were likely to cause harm to Xilinx's customers' willingness to do business with Xilinx. Further, Xilinx relayed that it would move for a protective order unless an agreement could be reached such that FG SRC would agree to stop serving subpoenas on Xilinx's customers and would withdraw any subpoenas for which FG SRC could not demonstrate a concrete basis for an alleged belief that the customer in question practices the patented method.

6. FG SRC relayed that it would contact counsel for Xilinx on Monday, March 28, 2022 if it had a proposal that could alleviate the need for this Motion for Protective Order. On March 28, FG SRC stated that it did not have "a proposal for [Xilinx] which [FG SRC] believe[s] would meet or come close to meeting Xilinx's stated requirements regarding new and existing subpoenas." Ex. B (2022-03-28 Email from Rafilson to Xilinx).

Executed this 28<sup>th</sup> day of March, 2022 at Wilmington, Delaware.

/s/ Warren K. Mabey, Jr.  
Warren K. Mabey, Jr.